

Facsimile Cover Sheet

MEDLEN & CARROLL, LLP

TO: Examiner P. Nolan
Group No.: 1644
US PTO
Tel: (703) 305-1987
Fax: (703) 305-~~3704~~
7939

FAX RECEIVED 9/6/01

AUG 09 2001

GROUP 1600

FROM: Maha Handan
Medlen & Carroll, LLP
220 Montgomery Street
San Francisco, CA 94104
Tel: (415) 705-8410; (510) 237-8552
Fax: (415) 397-8338; (510) 234-8696

OFFICIAL

Date: August 2, 2001

Time: ~ 10:35 AM / PM

Pages (including cover): 11

Client Code: DHI-03864

The documents accompanying this facsimile transmission contain information from the law firm of MEDLEN & CARROLL, LLP which are confidential or privileged. The information is intended to be for the use of the individual or entity named on this cover sheet. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this faxed information is prohibited. If you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the return of the original documents. Thank you.

PATENT
Attorney Docket No. DHI-03864
HJ
SPJ
Ros

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: James L. Brown

Serial No.: 09/539,735

Filed: 03/30/00

Entitled: DIAGNOSIS OF AUTOIMMUNE DISEASE

Group No.: P. Nolan

Examiner: 1644

RESPONSE TO OFFICE ACTION
MAILED JULY 3, 2001Assistant Commissioner for Patents
Washington, D.C. 20231

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. § 1.86(e)(1)(ii)(B)

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being transmitted by facsimile to the Patent and Trademark Office.

Dated: August 2, 2001By: Maha A. Hamdan
Maha A. Hamdan

Sir or Madam:

This communication is responsive to the Restriction Requirement mailed on July 3, 2001.

1. Pending Claims:

Prior to addressing the restriction requirement, Applicant notes that the Examiner erroneously indicated that Claims 1-18 are pending.¹ However, in a Preliminary Amendment which was mailed to the Office on August 7, 2000, Applicant cancelled Claim 2 and amended Claim 1. Accordingly, Claims 1, 3-18 (not Claims 1-18) are pending. A copy of the pending claims is attached at Appendix I for the Examiner's convenience.

2. Restriction Requirement:

The Examiner required election of one of the following species of cultured cells:

- i) FRTL-4 cells;
- ii) CHO-R cells; and

¹ Office Action Summary sheet, items 4 and 8.

PATENT
Attorney Docket No. DHI-03864

iii) ChoLuc cells.

Applicants hereby elects, without traverse, the ChoLuc cells. Pending Claims 1, 3-18 read on the elected species of cells.

If a telephone interview would aid in the prosecution of this application, Applicant encourages the Examiner to direct such communications as indicated below.

Please charge payment of any fees associated with this communication or credit any overpayment to Deposit Account No.: 08-1290. An originally executed duplicate of this transmittal is enclosed for this purpose.

Dated: August 2, 2001

Maha Hamdan

Maha A. Hamdan
Registration No. 43,655

Please direct all communication to:

Peter G. Carroll
Registration No. 32,837
MEDLEN & CARROLL, LLP
220 Montgomery Street, Suite 2200
San Francisco, California 94104
(617) 252-3353